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**DATE:** October 26, 2006  
**FILE NO:** ROC920010109US1 (IBMK10109)  
**TO:** MAIL STOP AMENDMENT  
Examiner Ronald Laneau  
**FAX NO:** 1-571-273-8300  
**FROM:** Gero G. McClellan / David Magness  
**PAGE(S) with cover:** 15

**RE:**

**TITLE:** Method and Apparatus Upgrade Assistance Using Critical Historical Product Information  
**U.S. SERIAL NO.:** 09/865,371  
**FILING DATE:** May 25, 2001  
**INVENTOR(S):** Earl Walter Emerick et al.  
**EXAMINER:** Ronald Laneau  
**GROUP ART UNIT:** 3627  
**CONFIRMATION NO.:** 3728

Attached are the following document(s) for the above-referenced application:

Response To Final Office Action Dated September 5, 2006.

**CONFIDENTIALITY NOTE**

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**PATENT**  
 App. Ser. No.: 09/865,371  
 Atty. Dkt. No. ROC920010109US1  
 PS Ref. No.: IBMK10109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of:  
 Earl Walter Emerick et al.  
 Serial No.: 09/865,371  
 Confirmation No.: 3728  
 Filed: May 25, 2001  
 For: Method and Apparatus Upgrade  
 Assistance Using Critical  
 Historical Product Information

Group Art Unit: 3627

Examiner: Ronald Laneau

**OCT 26 2006**

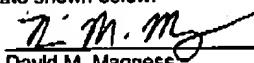
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Dear Sir:

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner Ronald Laneau, on the date shown below.

October 26, 2006

  
 David M. Magness

**RESPONSE TO FINAL OFFICE ACTION DATED SEPTEMBER 5, 2006**

In response to the Final Office Action dated September 5, 2006, having a shortened statutory period for response set to expire on December 5, 2006, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465/ROC920010109US1 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

The Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 10 of this paper.